



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2377

Introduced 2/19/2009, by Rep. Michael K. Smith

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Government Construction Contract Bidders Act. Requires bidders on construction contracts with units of local government and school districts to comply with applicable laws, comply with applicable provisions of the Prevailing Wage Act, comply with federal equal employment opportunities laws, have a valid FEIN or SSN, have valid insurance certificates, and participate in apprenticeship and training programs. Imposes monetary penalties for violation.

LRB096 08339 RLJ 18448 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Local
5 Government Construction Contract Bidders Act.

6 Section 5. Construction contracts; responsible bidder
7 requirements. To be considered a responsible bidder on a
8 construction contract with a unit of local government or school
9 district, a bidder must comply with all of the following
10 requirements and must present satisfactory evidence of that
11 compliance to the appropriate unit of local government or
12 school district:

13 (1) The bidder must comply with all applicable laws
14 concerning the bidder's entitlement to conduct business in
15 Illinois.

16 (2) The bidder must comply with all applicable
17 provisions of the Prevailing Wage Act.

18 (3) The bidder must comply with Subchapter VI ("Equal
19 Employment Opportunities") of Chapter 21 of Title 42 of the
20 United States Code (42 U.S.C. 2000e and following) and with
21 Federal Executive Order No. 11246 as amended by Executive
22 Order No. 11375.

23 (4) The bidder must have a valid Federal Employer

1 Identification Number or, if an individual, a valid Social
2 Security Number.

3 (5) The bidder must have a valid certificate of
4 insurance showing the following coverages: general
5 liability, professional liability, product liability,
6 workers' compensation, completed operations, hazardous
7 occupation, and automobile.

8 (6) The bidder and all bidder's subcontractors must
9 participate in applicable apprenticeship and training
10 programs approved by and registered with the United States
11 Department of Labor's Bureau of Apprenticeship and
12 Training.

13 The provisions of this Section do not apply to federally
14 funded construction projects if that application would
15 jeopardize the receipt or use of federal funds in support of
16 such a project.

17 Any contractor or subcontractor who does not comply with
18 this Section is subject to (i) a 20% penalty and an additional
19 2% punitive penalty of the total contract bid, (ii) a 2-year
20 disbarment from bidding on contracts with the applicable unit
21 of local government or school district, or (iii) both (i) and
22 (ii).